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ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN THE REGION OF THE MIDDLE EAST

Report of the Secretary-General

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I. INTRODUCTION

1. In paragraph 9 of its resolution 48/71 of 16 December 1993, the General Assembly requested the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30 of 6 December 1991, and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report (A/45/435) or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the region of the Middle East. In paragraph 10 of the same resolution, the Assembly also requested the Secretary-General to submit to it at its forty-ninth session a report on the implementation of the resolution.

2. The present report is submitted in response to the request contained in paragraph 10 of the resolution.

II. ACTION TAKEN

3. Pursuant to paragraph 9 of the resolution, the Secretary-General, in a note verbale dated 2 March 1994, requested the States of the region and other concerned States to submit their views on the measures outlined in chapters III and IV of the study annexed to his report or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the region of the Middle East. Replies received from Governments on the matter are reproduced in the annex to the present report.

4. Also in accordance with the request contained in paragraph 9 of the resolution, the Secretary-General has continued in various ways to carry out consultations with concerned parties within and outside the region to explore further ways and means of promoting the establishment of a nuclear-weapon-free zone in the Middle East.

5. In the resolution, the General Assembly requested the Secretary-General, in undertaking those consultations, to take into account the evolving situation in the region. In this connection, the Secretary-General is pleased to note that the matter has continued to receive attention and support in the framework of the Multilateral Middle East Peace Process, particularly in the context of its Arms Control and Regional Security Working Group. The Secretary-General is convinced that the concept of the zone now enjoys universal acceptance by the States most directly concerned in the region, as well as commanding a broad measure of support from those outside the region, including the States members of the Movement of Non-Aligned Countries. Notwithstanding this general support, the consultations have led the Secretary-General to conclude that more time is needed to achieve a greater convergence of views on timing and modalities so that practical steps can be undertaken for the establishment of such a zone in the Middle East.

6. Convinced that the zone would greatly contribute to strengthening peace and security in the region, the Secretary-General earnestly hopes that discussions

on the matter among countries in the region, as well as the efforts undertaken by all others involved, will move forward towards creating conditions for concrete actions. The Secretary-General therefore urges all concerned parties within and outside the region to tackle this issue with the determination necessary to achieve tangible results as expeditiously as possible.

Annex

REPLIES RECEIVED FROM GOVERNMENTS

IRAQ

[Original: Arabic]

[19 April 1994]

The Permanent Mission of Iraq to the United Nations presents its compliments to the Secretariat and, with reference to Secretariat note No. CDA/8-94/NWFZME of 2 March 1994 concerning General Assembly resolution 48/71, has the honour to inform it that Iraq continues to be in the forefront of those States that have urged the establishment of a zone free of weapons of mass destruction in the Middle East region, given that the region is one of the world's most dangerous centres of armed conflict and particularly since "Israel" possesses large quantities of nuclear weapons, is not a party to the Treaty on the Non-Proliferation of Nuclear Weapons and has developed other weapons of mass destruction and the means for their delivery.

In this connection, we should like to refer to paragraph 14 of Security Council resolution 687 (1991), which calls for the establishment in the Middle East of a zone free of weapons of mass destruction and all missiles for their delivery. Despite the passage of more than three years since the adoption of this resolution, we have seen no serious movement towards the implementation of the provisions of this paragraph. On the contrary, a frenzied race is in progress in the region to develop weapons of mass destruction, including nuclear weapons.

ISRAEL

[Original: English]

[5 July 1994]

It remains Israel's policy that a credible nuclear-weapon-free zone in the Middle East be established, freely negotiated between the parties, mutually verifiable and encompassing all States in the region.

A credible nuclear-weapon-free zone can only set the seal on a durable peace. It cannot credibly precede it. Israel subscribes to the statement made by the Secretary-General in his report (A/48/399 of 25 October 1993) when he said: "At the same time, a nuclear-weapon-free zone cannot be conceived or implemented in a political vacuum, separate from the process of natural reconciliation. In Israel's view, time will be ripe for negotiation of a nuclear-weapon-free zone once the "vacuum" has been filled, i.e., peace has descended on the area and violence has been abjured.

Prior to peace, confidence need be generated, and Israel supports the statements of the Secretary-General in his report A/45/435 (paras. 110 and 151) which read:

> "110. ... confidence must be built on all sides, confidence that military solutions to political problems are excluded ... most important of all, there must be progress in solving the fundamental conflicts in the region. Without such progress, technical measures in the nuclear area or on other security problems will hardly be given serious thought ..."
>
> "151. ... A radical transformation, step by step, must be effected in the military and political relationships of the area."

These conditions do not exist yet.

It need be recalled, that for the time being, there are regional States which expressly advocate Israel's dismemberment (Islamic Republic of Iran, Iraq, Libyan Arab Jamahiriya), most regional States consider themselves in a formal state of war with Israel, some States which participate in the peace negotiations permit organizations opposed to the peace process to operate terrorist incursions into Israel from their soil, and the economic boycott is still in place. Without discounting the hopes which attend on the peace negotiations, these truths need be kept in mind, especially considering that it is Israel which is expected to take hazardous decisions. As long as peace is in abeyance, Israel cannot discount the preponderance in manpower, deployment areas and the capacity to absorb arms, on the part of States which have yet to commit themselves to peace with it.

For progress towards peace, political accommodation is of course an ineluctable prerequisite and the major confidence-building measure.

In the special area of regional security and arms control, there is in our view a necessary sequence of confidence-building measures that need be followed. They include measures that in the first instance do not impair the national security of the negotiating partners and can be established on a bilateral or multilateral basis. Once agreed, they have to be tested over time in order to confer confidence. Confidence-building measures of a more pervasive nature - and certainly arms control - require that all States of the region abjure war in settling conflicts and participate in the negotiations, followed by a proven and durable peace. Such peace is, of course, contingent primarily on political accommodation. Peace would be followed by the establishment of a credible nuclear-weapon-free zone, in due course.

The Israeli position in this respect has benefited from examples of nuclear-weapon-free zones in other regions. These examples demonstrated the primacy of regional non-proliferation initiatives, especially in cases of rivalries and conflicts. Such have been the cases of Latin America (Treaty of Tlatelolco and Brazil and Argentina). This procedure commends itself even more so in the volatile region of the Middle East.

Confidence-building measures are at present being discussed and negotiated within the Working Group on Arms Control and Regional Security at the Middle

East peace talks, on which the hopes of the negotiating parties are riveted. These negotiations, as is manifest, are beginning to yield progress.

It is unqualified support for the peace talks, and their framework, by which the United Nations General Assembly can make its own contributions to enhancing confidence. Attempts by the United Nations to lift the nuclear issue out of its comprehensive context would be seen as detracting from the sovereignty of the peace talks and wishing to submit selected issues to United Nations discretion. Such attempts in the past have blocked the road to peaceful accommodation and might shake the delicate balance achieved through direct negotiations as well as harm the process.

Israel believes the Secretary-General of the United Nations was distinctly sensitive to this truth, when he said in his report A/47/387: "Indeed, it was the shared opinion that, in the light of these developments, it would be premature at this time for the Secretary-General to take any further action relating to the question of the establishment of a nuclear-weapon-free zone in the Middle East. The ongoing peace initiative on the Middle East offers a window of opportunity in the process of resolving the overall situation in the region. The Secretary-General earnestly hopes that the efforts of all those involved will be rewarded with positive results."

JORDAN

[Original: Arabic]

[13 May 1994]

1. The Jordanian Government has always supported the idea of establishing a nuclear-weapon-free zone in the Middle East. Jordan has accordingly backed all efforts to achieve this goal and has voted in favour of the resolution on the matter adopted annually by the General Assembly since its twenty-ninth session in 1974.

2. The Jordanian Government believes that until such time as the establishment of a nuclear-weapon-free zone in the Middle East is achieved all the States of the region must refrain from producing, acquiring or stockpiling nuclear weapons.

3. It is likewise incumbent on the Governments of nuclear-weapon States outside the Middle East region to refrain from introducing such weapons into the region, from using them against any of the States of the region and from using the territory of any Middle Eastern State for the deployment or stockpiling of such weapons.

4. The Jordanian Government also believes that the establishment of a nuclear-weapon-free zone must not prevent the parties concerned from using and developing nuclear energy for peaceful purposes or hinder the transfer of the relevant technology from and to other countries in the region or elsewhere.

5. The Jordanian Government further believes that the acceptance by all the countries of the region without exception of a comprehensive international safeguards system to prohibit the proliferation of nuclear weapons is essential. Jordan was hence desirous of acceding to and ratifying the Treaty on the Non-Proliferation of Nuclear Weapons.

6. The establishment of a nuclear-weapon-free zone in the Middle East can never be incompatible with the endeavour to establish a zone free of weapons of mass destruction in the region and on the contrary promotes that goal.

7. In this domain, Jordanian policy is in keeping with the general policy of the States members of the League of Arab States. On 27 March 1994, the Council of the League, at its one hundred and first regular session, adopted its resolution 5380 calling for the coordination of Arab positions on weapons of mass destruction and for efforts to establish a zone free of weapons of mass destruction in the Middle East. The resolution also provides for the formation of a high-level technical committee whose functions include the formulation of a draft agreement making the Middle East region a zone free of all weapons of mass destruction, whether nuclear, chemical or biological.

8. The Jordanian Government believes that encouragement and support for the efforts being made to establish a nuclear-weapon-free zone and a zone free of all weapons of mass destruction can only strengthen the efforts for a just, lasting and comprehensive peace in the Middle East, as represented by the ongoing peace process in the region, and would safeguard the independence, territorial integrity and security of all States of the region and strengthen the economic and social development of their peoples.

LEBANON

[Original: English]

[11 May 1994]

The Government of Lebanon supports the idea of creating a nuclear-armament-free zone in the Middle East.

Lebanon believes that the international community has the obligation to take the necessary steps to ensure that Israel will join and sign the Treaty on the Non-Proliferation of Nuclear Weapons, therefore facilitating the establishment of a nuclear-weapon-free Middle East.

QATAR

[Original: Arabic]

[5 June 1994]

1. Basic principles governing security relations in the region

For the region to achieve and maintain a comprehensive peace, its component countries must adhere in the conduct of their relations to the principles embodied in international public law and in the Charter of the United Nations and its resolutions, particularly the following:

The sovereign equality of States;

The impermissibility of the acquisition of territory by force;

Abstention from the threat or use of force against the territorial integrity or political independence of any State or in any other manner incompatible with the goals of peace;

Non-intervention in the internal affairs of States;

Equal rights and obligations;

The right of the Palestinian people and other peoples to self-determination;

Recognition of international boundaries;

Fulfilment of international obligations in good faith;

The peaceful settlement of disputes, including recourse to international judicial settlement, in such a way as not to jeopardize international peace, security and justice;

Avoidance of policies of deterrence and military supremacy;

Applicability of the foregoing principles to all the States of the region without exception or distinction and in a balanced and equitable manner that ensures equal rights and obligations and applies a single standard to all.

2. The goals of arms control and regional security

Arms control and regional security arrangements must reflect the resolve of the States of the region to live together in peace in a situation designed to achieve stability and security.

The scope of arms control and regional security should include a high measure of confidence-building. Arrangements for the monitoring of armaments should extend to all threats to security and all weapons and should take account

of the need to ensure that the security of none of the States of the region is at any time weakened.

The military capacities of the States of the region must be quantitatively and qualitatively equal. The existing serious imbalance cannot continue without leading the region back into an arms race that will prevent confidence-building measures from being successful, given that a true balance among all parties is essential for political stability and strategic equilibrium in the region.

It is essential to prevent the production, stockpiling and deployment of weapons of mass destruction, primarily nuclear weapons.

Equal security for all must be achieved at the lowest possible level of armament.

The adherence of all signatories of the arms limitation agreements to their undertakings in this regard must be ascertained through verification measures and inspection.

Defence expenditures must be reduced to the lowest possible level in order to provide additional resources for overall economic and social development projects.

There should be movement on two fronts: arms control and confidence-building measures. Greater transparency in armaments-related matters and in armaments-use policies is essential, and the outbreak of conflicts based on misunderstanding or error must be prevented.

The United Nations and the European Union should be accorded a key role in the peace process, particularly with respect to guarantees.

3. Measures proposed for the achievement of these objectives

1. It is essential to define the geographical scope of the Middle East region and to transform it into a zone free of weapons of mass destruction, including the means for their delivery. The following steps can be taken in this regard:

(a) Declaration by all the States of the region of their support for and acceptance of the establishment of a zone free of weapons of mass destruction, with such declarations to be deposited with the Security Council;

(b) Declaration by all the States of the Middle East region that they will refrain from developing weapons of mass destruction and from producing them and stockpiling them in their territory or any territory under their control; and acceptance by all parties of international inspection of their nuclear installations and facilities in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons;

(c) Accession of all the States of the region to the Treaty on the Non-Proliferation of Nuclear Weapons and other treaties banning weapons of mass destruction.

The following international guarantees should be provided for the establishment of the zone:

(a) An undertaking by the States permanent members of the Security Council to respect the aims and purposes of establishing the zone;

(b) An undertaking by States possessing weapons of mass destruction not to locate, use or threaten to use any such weapons in the territory of any of the States of the region;

(c) Provision by the States permanent members of the Security Council of comprehensive, unconditional and effective security guarantees to all the States of the region;

(d) An international undertaking to grant all the States of the region an equal opportunity to obtain advanced technology for peaceful purposes.

2. The United Nations should be accorded a key role in the peace process, particularly in the context of arrangements for arms control and effective international monitoring, through the establishment of an international monitoring mechanism and an authorized monitoring and verification centre under United Nations auspices consisting of a number of qualified experts. The European Union should also be accorded a role in this domain.

3. At a later stage, a regional conflict prevention centre should be established, profiting from the experience of the Vienna Centre of the Conference on Security and Cooperation in Europe, and should endeavour to identify situations that might lead to the outbreak of disputes as early as possible and seek to eliminate sources of danger by diplomatic means before conflict erupts.

4. Agreements should be concluded on military confidence-building measures conducive to greater transparency and predictability. This concept is based on the step-by-step approach in accordance with progress made in bilateral negotiations and in keeping with a balance between the aspirations of the regional parties. Also included in the framework of confidence-building measures are steps to instil confidence and assurance in the negotiating parties, such as the dismantlement and removal of settlements and the release of political detainees.

5. At a subsequent stage, a regional contact centre should be established.